

REMARKS

Claims 1-9 are all the claims pending in the application.

Claims 1-9 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable as obvious over Watanabe et al (U.S. Patent 6,44,913) in view of Ding et al (CN 1123302 A).

The Examiner relies on Watanabe as in the previous Actions. The Examiner relies on Ding et al as disclosing a viscosity modifier for acrylic and other resins, consisting essentially of (a) 10-30% alkyl(meth)acrylate containing an epoxy group; (b) 40-70% of another alkyl(meth)acrylate; and (c) 10-40% by weight of another vinyl monomer copolymerizable therewith. Ding et al was also cited as disclosing a weight average molecular weight of 1,000-10,000 within the claimed range.

Because both references are said to concern a new polymerizable composition for use as a viscosity modifier, the Examiner considered that it would have been obvious to incorporate the viscosity modifier of Ding et al into Watanabe et al's¹ thermoplastic polyester resin composition. In this regard, the Examiner notes that the viscosity modifier of Ding et al is simple to prepare, has low product cost, provides a final resin having stable properties and is made from raw materials that are easily available.

Applicants respectfully traverse the rejection.

Watanabe as a whole does not fairly teach or suggest the combination of the viscosity modifier and core-shell graft polymer as recited in independent claim 1 for the reasons of record. Additionally, Ding et al does not remedy the deficiencies of Watanabe.

¹ The Action actually states "Ueno et al" which we believe is an inadvertent error since Ueno et al has not been cited in the present rejection.

Watanabe merely discloses various kinds of thermoplastic elastomers and a core-shell polymer as an impact resistance modifier. Watanabe does not specifically mention a thermoplastic elastomer and a core-shell polymer in combination. Specifically:

(1) at column 3, lines 34-48 relied on by the Examiner, Watanabe discloses each of thermoplastic elastomers and core-shell polymers as individual examples of impact resistance rendering materials (B) and not as a combination;

(2) no such combination is employed in the working examples disclosed in Watanabe;
and

(3) Watanabe does not recognize the synergistic effect obtainable from the combination of the specific viscosity modifier for a thermoplastic polyester resin and core-shell polymer as shown by the data provided in the specification.

Additionally, contrary to the Examiner's assertion, the English translation of Ding et al does not teach, suggest or even mention a thermoplastic resin composition comprising a thermoplastic polyester resin and a viscosity modifier. Ding et al is silent as to a viscosity modifier and therefore can not be said to teach a viscosity modifier consisting essentially of units (a), (b) and (c) as recited in present claim 1. Thus, even if the references were combinable (a point Applicants do not concede), the resulting combination would not achieve the present invention.

Further, there is no apparent reason to combine the Watanabe et al and Ding et al in the first instance. This is because Ding relates to a resin for the preparation of an acroleic powder coating, which is a decorative outdoor coating, whereas Watanabe et al relates to thermoplastic resins used for engineering plastics for cars and electrical/electronic apparatuses. Therefore, a

person skilled in the art would not have been motivated to combine Watanabe et al with Ding et al with a reasonable expectation of success in achieving the claimed invention. Thus, the present invention is not rendered obvious by the cited references.

Accordingly, Applicants respectfully request withdrawal of the rejection.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

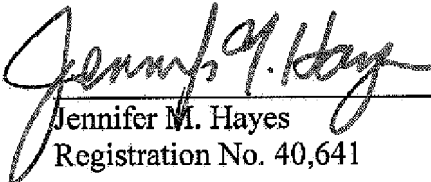
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